

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Made From Pasteurized Milk" was false and misleading as applied to the article, which was made from milk which had not been pasteurized.

Further misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for muenster cheese since the article was made from milk which had not been pasteurized.

DISPOSITION: February 5, 1954. Default decree of destruction. The court ordered that the product be delivered to charitable institutions.

EGGS

21166. Adulteration of frozen eggs. U. S. v. 999 Cans * * *. (F. D. C. No. 36402. Sample No. 51831-L.)

LIBEL FILED: On or about March 9, 1954, Southern District of New York.

ALLEGED SHIPMENT: On or about May 13, 1952, by the Wenk Produce Co., from Madison, S. Dak.

PRODUCT: 999 30-pound cans of frozen whole eggs or frozen egg whites at Orangeburg, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: May 11, 1954. Default decree of condemnation and destruction.

21167. Adulteration of frozen eggs. U. S. v. 82 Cans * * * (and 1 other seizure action). (F. D. C. Nos. 36155, 36162. Sample Nos. 37566-L, 52746-L.)

LIBELS FILED: December 4, 1953, Eastern District of New York.

ALLEGED SHIPMENT: On or about October 26 and November 12, 1953, by the Sam Pollman Egg Co., from Kansas City, Mo.

PRODUCT: 605 30-pound cans of frozen eggs at Brooklyn, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

DISPOSITION: December 11, 1953. Greenland Egg Products, Inc., Brooklyn, N. Y., claimant, having consented to the entry of a decree and the libel actions having been consolidated, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the good eggs from the bad, under the supervision of the Department of Health, Education, and Welfare.

As a result of the segregation operations, 130 cans of the product were found unfit. A portion of the unfit cans was delivered to the Food and Drug Administration, and the remainder was denatured for technical use.

FEEDS AND GRAINS

21168. Misbranding of soybean oil meal. U. S. v. Galesburg Soy Products Co. and Max Albert. Pleas of guilty. Fine of \$600 against company and \$100 against individual, plus costs. (F. D. C. No. 35125. Sample Nos. 14934-L, 32842-L, 32843-L.)

INFORMATION FILED: July 20, 1953, Southern District of Illinois, against the Galesburg Soy Products Co., a corporation, Galesburg, Ill., and Max Albert, president of the corporation.

ALLEGED SHIPMENT: On or about November 29 and December 2, 1952, from the State of Illinois into the States of Kansas and Missouri.

LABEL, IN PART: (Tags attached to bags) "100 Lbs. Net Triple Value Brand 44% Protein Soybean Oil Meal Galesburg Soy Products Company Galesburg, Illinois."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "100 Lbs. Net" was inaccurate in that the bags of the article contained less than 100 pounds net of the article.

DISPOSITION: February 23, 1954. Pleas of guilty having been entered, the court imposed a fine of \$600 against the company and \$100 against the individual, plus costs.

21169. Adulteration of dog food. U. S. v. 399 Cases, etc. (F. D. C. No. 36106. Sample Nos. 58729-L, 58730-L.)

LIBEL FILED: November 3, 1953, Eastern District of Wisconsin.

ALLEGED SHIPMENT: During the early part of 1953, from Vincennes, Ind.

PRODUCT: 598 cases, each containing 48 cans of dog food at Lake Geneva, Wis.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 25, 1954. Default decree of condemnation and destruction.

FISH AND SHELLFISH

21170. Adulteration of canned sardines. U. S. v. 113 Cases, etc. (F. D. C. No. 36264. Sample No. 15050-L.)

LIBEL FILED: January 8, 1954, District of Kansas.

ALLEGED SHIPMENT: On or about July 17, 1953, from Gloucester, Mass.

PRODUCT: 113 cases, each containing 48 cans, of sardines in tomato sauce, and 19 cases, each containing 48 cans, of sardines in mustard sauce at Pittsburg, Kans.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: March 3, 1954. Default decree of condemnation and destruction.

21171. Misbranding of canned sardines. U. S. v. 118 Cases * * *. (F. D. C. No. 35392. Sample No. 59761-L.)

LIBEL FILED: August 17, 1953, Eastern District of Tennessee.

ALLEGED SHIPMENT: On or about July 18, 1953, by the Smith Dray Line & Storage Co., from Greenville, S. C.

PRODUCT: 118 cases, each containing 48 cans, of sardines at Chattanooga, Tenn. Examination showed that the product consisted of pieces of large alewives (river herring).

LABEL, IN PART: (Can) "Blue Band Brand Water and Salt Added [picture of California sardine] King Size Natural Sardines * * * Cannery Sales Agency Distributors Los Angeles, Calif. Net Weight 15 Oz."